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SIEMON; NA-21- CUMMINS, ILIOPULOS;
NE- MCGINNIS, PERKO, CLAPPER
NRC FOR OIP - DOANE, HENDERSON, SCHWARTZMAN
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SUBJECT: IAEA: JUNE BOARD PREVIEW AND ANALYSIS

Ref: a) UNVIE 231 b) UNVIE 220 c) Goodman-Sanborn email 5/24/09

Summary

11. (U) This is an action request.

12. (SBU) The June 15-19 IAEA Board of Governors meeting will take place amid continuing uncertainty over the Director General election and budget negotiations (ref a.) Nevertheless, Mission will endeavor to take advantage of favorable attitudes toward the President's nonproliferation policies to improve the divisive atmosphere that has overtaken the Board. Doing so will help us achieve near and longer-term priorities, a number of which are included on the June Board's overloaded agenda. In addition to its traditional focus on the annual Safeguards Implementation Report (SIR) and the still pending budget, the June Board will consider nuclear fuel bank proposals (International Nuclear Fuel Bank, Russian and German); verification issues in Iran, Syria and DPRK, an agenda item on de-restriction of Board documents, the 2008 Annual Report and Technical Cooperation report and the provisional agenda for the General Conference (GC), among other issues. The Board Chair will also provide an update on the appointment of the Director General; a Special Session for the election is expected sometime in July, but the date has not been set.

13. (SBU) Given the number of competing priorities before the June Board (also previewed ref a), Mission recommends that we focus on the following objectives:

-- Formally request the Director General to submit detailed proposals for the establishment of the International Nuclear Fuel Bank (INFB) and Russian fuel reserve while mitigating G-77 reservations;

-- Maintaining the Board's focus on Iran and Syria's obligation to comply with IAEA safeguards and cooperate with ongoing investigations;Q

-- Eliciting the strongest condemnation of DPRK's nuclear and missile tests violating UNSC resolutions, and urging return to the Six Party Process and IAEA verification of denuclearization;

-- Supporting strengthened safeguards, including an "information-driven" state-level approach that enhances--with expanded IAEA authorities and capacities as necessary--the Agency's ability to provide assurances about the absence of undeclared nuclear activities;

-- Underlining deep disappointment with the failure to reach

agreement on the budget in a timely manner and to provide the IAEA the resources it requires to fulfill its mandate in key areas such as nuclear security and safeguards.

¶4. (SBU) Septels on Iran and Syria will provide further analysis upon the issuance of the respective DG reports likely around June 5.

Ref b provides context and analysis of Egypt's safeguards issues outlined in the SIR report. Mission recommends taking a low-key approach on the de-restriction item at the end of the agenda, while resisting any attempt by the NAM to conflate this issue with the Board's prerogative to release the Iran and Syria reports, and ensuring the Board continues to exercise that prerogative at least in the case of Iran. The provisional GC agenda before the Board for approval does not include a second agenda item on Israeli Nuclear Capabilities, which the Arab group usually requests to be added later. End Summary.

Agenda Item 1: DG Introductory Statement

¶5. (SBU) The DG's introductory statement to the Board covers all issues on the agenda. We will be particularly attuned to his comments on the budget impasse and oral report on the DPRK (there will not be a written report, see para 25), in addition to any update or further commentary on the Iran and Syrian reports. No U.S. statement is necessary or appropriate.

Agenda Item 2: Applications for Membership

¶6. (U) The IAEA Secretariat does not expect any applications for IAEA membership so this item is likely to be dropped from the agenda. Mission will advise if any applications are received prior to the Board.

Agenda Item 3: 2008 Annual Report

¶7. (SBU) The Board is requested to approve the 2008 Annual Report (GOV/2009/23) to be submitted to the General Conference. There are usually many statements on the Report in which Board members highlight particular areas of the IAEA's mandate, with the G-77 using this as another opportunity to promote technical cooperation above all other issues. While a statement is not required, Mission recommends using this opportunity to forward U.S. arguments in favor of safety, security, and safeguards, U.S. priorities that could benefit from additional funding under the 2010-2011 budget proposal.

Following Board member statements, Israel may also take the floor under Rule 50 to object to particular passages of the Report: the citation of Israel in para 17 of the Verification section (report page 82) as having destroyed an alleged nuclear reactor in Syria, and the inconsistency of the Report's description of IAEA safeguards in Egypt in paras 20 and 21 on the following page with the SIR report. (Note: Unlike the confidential SIR report, the Annual Report will be a publically-disseminated GC document. End Note.) USDEL should not comment on any such Israeli intervention, which is likely to stoke an Arab reaction.

¶8. (SBU) Recommendation and Action Request: Mission recommends USDEL join consensus on the Report and suggests a short U.S. statement regarding the value and diversity of the IAEA's work as a guarantor of NPT safeguards and in promoting safety, security and technical cooperation. Previewing the budget agenda item, we should emphasize that these are mutually reinforcing rather than competing priorities (as they are portrayed by the G-77), and reiterate our commitment to ensure the Agency is adequately resourced to fulfill its broad mandate. The Report informs us that construction started on ten new reactors in 2008, with 44 currently under construction, and notes growing interest among more than 50 Member States in exploring nuclear power programs in 2008. Related to this, the number of technical cooperation projects geared toward introducing nuclear power increased from 13 to 44 in 2008. The U.S. statement should observe that the Annual Report represents only the latest evidence of a rapid expansion in nuclear power across the globe. As we ponder the ramifications of this expansion, we should not lose sight

of the key role the Agency plays in safety and security. It would take only one nuclear accident, or one incident of nuclear terrorism, to bring this expansion to a rapid halt.

Agenda Item 4: 2008 Technical Cooperation Report

¶9. (U) This report, GOV/2009/27, is required by General Conference resolution (GC(52)/RES/11), in which the GC requested that the Director General report on strengthening the Agency's technical cooperation activities. The Board is asked to take note of the report, and to request that it be transmitted, with modifications as necessary, to the General Conference. It highlights progress achieved in implementing the TC strategy and in implementing new mechanisms and procedures during the period April 1, 2008 through March 31, 2009. It also highlights the management of financial resources and program delivery at the aggregate level, and activities and program achievements at country and regional levels in 2008.

¶10. (SBU) Mission recommends that the U.S. statement under this agenda item include encouragement for TC activity in the areas of nuclear safety and security. The USG understands that fifteen percent of TC programming is for safety and security. The U.S. should state that it particularly welcomes safety and security cooperation that supports nuclear applications in human health, medical isotopes, and the infrastructure for nuclear power. We can cite the work on safety at Iran's Bushehr power plant. We should say that these areas are important and we will continue to support them.

¶11. (U) U.S. statement should also draw on some or all of the following points regarding management of the TC program:

-- Impact of Transfer of Expertise: USDEL attempted (unsuccessfully) during the May 28 technical briefing to Member States to draw out Secretariat on the mechanisms and completeness of data tracking the subsequent professional activities of recipients of TC-funded training in nuclear fields.

-- Country Program Frameworks; In-Country Coordination: U.S. statement may include encouragement for redoubled effort by IAEA to: coordinate TC activities formally with the UN Country Team; involve National Liaison Officers in those consultations; emphasize Human resource capacity building in recipient states to manage TC projects.

-- Implementation rate: Is it a good measure of performance? Why does it vary from region to region (from 62.2% in Asia to 85.8% in Europe)? DDG Cetto noted in the May 28 technical briefing that it is a ratio of expenditures to resources "at a particular time" and may be misleading. It should not be misused to create incentives to spend money prematurely. TC Program Support and Coordination Director Magliani attributed the low implementation rate in Asia to the high proportion of human capacity building, low level of equipment procurement, and unforeseen events - natural disasters and security problems within states. European regional TC director Salema said much of the expenditure in Europe was "Footnote A" funding for reactor conversion and spent fuel removal, which also explained the high implementation rate in Europe. We seek to move TC towards a greater focus on measuring results, rather than throughput.

-- Results-based management: Much of the TC report focuses on activities and expenditures, and not on accomplishments and outcomes. Magliani acknowledges shortcomings in this area and says the TC Department is working to define desired outcomes as part of each new project, which would enable them to report more systematically. This is a work in progress, part of Program Cycle Management Framework (PCMF) Phase 3.

¶12. (SBU) In this connection, the TC Department discontinued as ineffectual the process it called Thematic Planning, aimed at ensuring the Agency focuses its resources on areas where nuclear techniques offer a comparative advantage, and that similar activities are pursued in a consistent manner across countries and regions, building on common experience and best practice. The TC

Department is working on a new process to replace Thematic Planning and thereby strengthen results-based management in TC. The DG wants to have something in place before he leaves, which means that the November 2009 TACC is a target for the TC Department to report on its efforts, but we understand some in the Department may be defensive and see these management initiatives as a threat to their favored programs. U.S. statement should encourage continued reform toward effective results-based management.

Agenda Item 5: Report of the Program and Budget Committee

¶13. (U) Recommendation and Action Request: Mission recommends joining consensus on accepting the Report, including a series of technical items approved by the Program and Budget Committee. Annex 2 of the Report details the wide range of reactions to the Secretariat's draft budget proposal. The U.S. statement should acknowledge the complexity of budget negotiations and recognize efforts by the Board Chair, Vice Chairs and Secretariat to facilitate budget negotiations among Member States. The statement should also express deep disappointment at the inability of Member States to come to an agreement in time for the June Board of Governors meeting (as is traditionally the case), and underline anticipated comments by the Board Chair and likely by the Director General regarding the urgency of approving a budget as soon as possible. Delays in the budget restrict the Agency's ability to carry out its work and plan for the future. The U.S. has sought to establish common ground with other Members and will continue to do so.

¶14. (U) In general, the U.S. statement should reflect major points of the U.S. position on the budget and reiterate our commitment to providing the Agency with the resources it needs to do its job. We are similarly committed to maintaining balance in the Agency's work and responding to the developmental objectives of many Member States. By the same token, the U.S. encourages reciprocity for U.S. objectives in other areas. A symbolic effort to mainstream Nuclear Security into the Regular Budget fully supports the Agency's mandate to "enlarge the contribution of atomic energy to peace, health and prosperity throughout the world." USDEL should note that we have developed strong relationships with our colleagues in the course of budget negotiations and will strive to bring them to a satisfactory close as soon as possible anticipating a positive outcome. We should note that IAEA expenditures overall represent a small fraction of UN organization assessments.

Agenda Item 6a: Safeguards Agreements and APs

¶15. (SBU) The Board will be asked to approve a comprehensive safeguards agreement (GOV/2009/37) and an Additional Protocol (GOV/2009/38) for Rwanda. Both conform to the standard texts contained in GOV/INF/276/Mod.1 and INFCIRC/540, respectively. The safeguards agreement also contains a small quantity protocol, which conforms to the new model adopted by the Board in 2005. Mission will advise if other safeguards agreements and Additional Protocols are submitted in advance of the June Board.

¶16. (SBU) Recommendation and Action Request: Mission recommends that USDEL join consensus in approving any safeguards agreements or Additional Protocols that conform to the standard models, and to deliver a statement under this item urging all NPT states that have not yet done so to conclude and bring into force the required safeguards agreements and bring into force Additional Protocols, which represent the new safeguards standard. USDEL may also address the slow pace in adoption of the revised Small Quantity Protocol (SQP), which as of the end of 2008 was in force in only 19 of 80 countries with SQPs.

Agenda Item 6b: 2008 Safeguards Implementation Report

¶17. (SBU) The Board will be asked to take note of the Safeguards Implementation Report (SIR) for 2008 (GOV/2009/24) and to authorize the release of the safeguards statement and the executive summary of

the SIR. The structure of the SIR has changed slightly from 2007, with additional statistical information included in the executive summary and reordering of chapters. The main substantive changes in the SIR are (a) the addition of sections in the executive summary reporting on implementation of safeguards in Syria and Egypt, alongside the usual sections on Iran and the DPRK; (b) updates on the states where the Agency has drawn broader conclusions under the Additional Protocol and begun to implement integrated safeguards; and (c) a slight evolution in the reporting on implementation of safeguards at the state level.

¶18. (SBU) Syria, Iran and the DPRK will be addressed in more detail under separate agenda items, but safeguards activity in Egypt is covered only in the SIR. As detailed in ref b, the SIR reports on the detection of high and low enriched uranium particles in Egypt in 2007-2008. The Agency is continuing to investigate the source of these particles, although it has no information to contradict Egypt's explanation that the uranium came from contamination of radioisotope transport containers. The SIR also reports that the Agency has resolved issues related to previously discovered nuclear material and activities (natural uranium and chemical experiments involving natural uranium) reported to the Board in 2005 (GOV/2005/9) and in the SIR for 2005.

¶19. (SBU) The 2008 SIR reports for the first time that the Agency is able to draw the broader conclusion that all nuclear materials (as opposed to all declared nuclear materials) remained in peaceful activities in four additional states: Burkina Faso, Germany, Madagascar and - notably - Libya. The Secretariat began to implement integrated safeguards in eight states, including the ROK and four other states with significant nuclear activities: Chile, Croatia, Finland and Italy. Integrated safeguards are now in effect in a total of 33 countries. The Secretariat estimates that this has led to a reduction in inspection effort of roughly 800 person-days of inspection (an increase from 500 in 2007). This reduction in field activity helps offsets the increase in headquarters activities information collection/analysis and planning under the State-Level Approach (SLA).

¶20. (SBU) The SIR provides an expanded report on safeguards implementation at the state level. The SLA is focused on three generic state-level objectives: (a) detecting undeclared activities and materials in the state as a whole, (b) detecting undeclared production and processing of nuclear material at declared facilities (misuse), and (c) detecting diversion of declared material. Aside from acknowledging that these generic objectives are translated into state-specific technical objectives, this year's SIR provides no further insight into how these objectives are achieved. The description of state-level implementation consists of largely repetitive listings of activities undertaken in six separate groups of states, providing statistics for each group on activities undertaken. For states under integrated safeguards, these are linked to the three state-level objectives. The SIR also provides statistics for each group on problems encountered in safeguards implementation. These are improvements in transparency compared to ¶2007. However, this year's SIR provides no additional insight on how the activities undertaken and the evaluation of the problems encountered led to the stated conclusions, including the statement that "state-specific technical objectives had been achieved" in states with integrated safeguards.

¶21. (SBU) At a May 20 technical briefing on the SIR, Iranian Ambassador Soltanieh welcomed the potential expansion of the IAEA's network of analytical laboratories to include labs in Brazil, China and the Republic of Korea as a step to end the over-reliance on "one country." (Note: A clear reference to the United States. End Note.) Soltanieh also commented on the reference to specific states accepting short-notice random inspections in section D.1.4 of the SIR, and suggested that the Secretariat provide statistics on all states accepting such inspections. The briefer noted that the section addressed only conversion and fuel fabrication facilities, and Safeguards DDG Heinonen further deflected Soltanieh's suggestion by stating that such inspections were normal in many states. Soltanieh also asked about safeguards cost-free experts - their nationality and where in the Department they worked -and implied that use of CFEs was inconsistent with safeguards confidentiality and impartiality. Heinonen deflected this question as well, noting that CFEs came from many countries, worked largely on equipment

development, and had to sign the same confidentiality agreements as regular staff members. During the SIR briefing DCM also requested information on savings achieved and anticipated through integrated safeguards and ROK Mission made an extended intervention calling for safeguards efforts to be redirected from states under integrated safeguards.

¶22. (SBU) As has long been the Board practice, the Chair will move to adopt the Secretariat's recommendation (put forth in the SIR document itself) that the Executive Summary be released to the public. In light of the inclusion of Egypt and Syria, and the Board's deadlock so far in agreeing to release DG reports on Syria, it is conceivable that one or more Board member could raise an objection. Indeed, we have heard rumblings that Egypt may object to the release of the summary given the section on Egypt. Assuming the Board ultimately agrees to release the summary, it will constitute the first formal release of a Board document describing the safeguards investigation in Syria, and would also complement the publicly released Annual Report's less complete description of the issues that have arisen in Egypt.

¶23. (SBU) Recommendation and Action Request: Mission recommends that the U.S. statement address the three main substantive changes in this year's SIR: (a) welcoming Egypt's actions to resolve safeguards implementation issues that were first reported in 2005, welcoming and encouraging continued cooperation from Egypt to resolve the remaining issues related to LEU and HEU particles, and asking the Secretariat to keep the Board informed, as appropriate, of any further developments (as previewed ref b) and expressing the hope that the Agency will soon be in position to report full resolution of the issue with Egypt; (b) welcoming the broader safeguards conclusion drawn in four additional states, taking special note of Libya's inclusion; and (c) acknowledging progress in elaborating the state-level approach, but also noting the need for further explanation of how conclusions are drawn. Mission has provided a more detailed list of comments and questions on the SIR (ref c), which may also be reflected in the Board statement and/or a possible written submission of SIR-related questions/comments to the Secretariat. The U.S. should support the continued practice of public release of the SIR summary.

Agenda Item 6c: Designation of Inspectors

¶24. (SBU) The Board will be asked to approve the list of inspectors included in GOV/2009/34. Mission has sent CVs of the proposed inspectors to Washington for review. Pursuant to the U.S. Additional Protocol, these inspectors will automatically be designated as inspectors for the United States unless the United States objects within three months after being informed of their approval by the Board. Recommendation and Action Request: Mission recommends that USDEL join consensus to approve the proposed inspectors. No U.S. statement is necessary.

Agenda Item 6d: DPRK

¶25. (SBU) The Secretariat indicates it will not provide a written report on the implementation of safeguards in North Korea for the June Board meeting. We expect the Director General's introductory remarks will address the significant developments that have taken place since the March Board: the departure of IAEA inspectors from Yongbyon (and therefore the cessation of the IAEA's monitoring and verification of the shutdown of key facilities at Yongbyon and Taechon), and the reported nuclear test on May 25. Although his remarks in March were markedly short, these recent events will likely prompt the DG to underline the urgency of the situation. After the North's first nuclear test in October 2006, the DG noted "deep regret and concern," and said the test was a serious challenge to the nuclear nonproliferation regime. The DG also used the opportunity to "re-emphasize" the urgent need to establish a universal ban on nuclear testing and cited UNSCR 1172 (1998), in which the UN Security Council reaffirmed "the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear Test Ban Treaty as the cornerstones of the international regime on the non-proliferation of nuclear weapons and

as essential foundations for the pursuit of nuclear disarmament".

¶26. (SBU) Recommendation and Action Request: Mission anticipates a large number of interventions under this agenda item, condemning DPRK's claimed nuclear test and calling on North Korea to fulfill its commitments under the Six Party Talks to abandon all nuclear weapons and existing nuclear programs. Mission recommends the U.S. statement express regret at North Korea's decision to stop disablement activities and cease cooperation with the IAEA. We recommend conveying our strong condemnation of the claimed nuclear test, our position on Six Party Talks, and the continued goal for North Korea to end its nuclear weapons program and return to the NPT and IAEA Safeguards. The U.S. statement should cite North Korea's obligations to refrain from further nuclear testing under UNSCR 1719 and note any recent statements or resolutions taken by the Security Council in response to the claimed May 25 nuclear test. Given seriousness of DPRK's recent actions, Mission does not recommend the U.S. statement review the history of the Six Party Talks agreements in detail as in past statements to the Board.

Agenda Items 7 a-c: Assurance of Supply

¶27. (U) This agenda item appears finally after many successive meetings in which the issue was consigned to AOB. The subject will be organized in three sub-items, for two of which the Secretariat has prepared papers: (a) - Proposal by the Director General for the Establishment of an IAEA Low Enriched Uranium (LEU) Bank (GOV/2009/30), which proceeds from the report GOV/INF/2007/11 presented for the June 2007 meeting entitled, "Possible New Framework for the Utilization of Nuclear Energy: Options for Assurance of Supply of nuclear fuel;" (b) - Russian Federation Initiative to Establish a Reserve of Low Enriched Uranium (LEU) for the Supply of LEU to the IAEA for its Member States (GOV/2009/31). The Board also received a Russian paper, GOV/INF/2009/1, and oral briefing by the Russian Governor at its March meeting. The new Secretariat paper GOV/2009/31 aims to advance understanding of the proposal preparatory to the submission for Board approval of two formal agreement texts, one between the Russian Federation and the IAEA, the other a model agreement the IAEA would enter into with a cut-off state seeking to procure LEU. For both of these agenda sub-items, the Board is asked to take note of the Secretariat reports and "request" the Director General to bring detailed proposals for the Board's subsequent consideration. Getting these "requests" from the Board is the Secretariat's first stage toward eventual approval of detailed arrangements for both mechanisms. A third sub-item 7 (c) calls for the Board to take note of a German paper (GOV/2009/32) describing the German Foreign Office's proposal on establishing an independent access to nuclear fuel cycle services - the Multilateral Enrichment Sanctuary Project (MESP). The IAEA Board will be asked only to take note of the German proposal.

¶28. (SBU) U.S. Objective: The United States would welcome the Board taking the actions requested. For three years the NAM and G-77 have taken the position that no action be taken until there has been a thorough study of the technical, legal and financial issues involved in fuel assurances, and then followed that up by saying it is "premature" to undertake such a study. This position was repeated by the G-77 spokesman at the March Board. However, some G-77 members speaking in national capacity at the March Board pronounced themselves ready to hold such a discussion, and the G-77 acquiesced in a Chair's "conclusion" that the Board will continue its discussions on these proposals and the Secretariat will assist in elaborating the framework. The Secretariat has now done that. While the U.S. does not agree with all aspects of the proposals, it strongly believes that it is time for the Board to have a serious discussion of the issues so that consensus can be built around one or more viable proposals, if not in September then soon thereafter.

¶29. (SBU) Recommendation and Action Request: USDEL should join consensus on the proposed actions and deliver a broad statement of support for consideration of these proposals. U.S. statement should draw on septel demarche to IAEA Board members and relevant points from the U.S. intervention at the April 2009 Beijing Ministerial. The Argentine Ambassador told Ambassador Schulte on May 29 that the G-77 would adopt a collectively "neutral" approach to the Secretariat proposals. Mission requires guidance for the

contingency that the hard-skeptic countries, led by Egypt, attempt to impose a procedural point that has figured in past G-77 group statements, assigning to the General Conference rather than the Board the approval of IAEA involvement in any multilateral nuclear arrangements. Points we may deploy in this case could include:

-- Article XI of the Statute assigns to the Board the authority to approve Agency projects. We are confident that Member States currently on the Board and those who may serve in the future will not want to dilute this authority.

-- All Member States can contribute their views in guiding the Secretariat on this issue, by speaking in this Board under Rule 50. Several states did so in past Board meetings, and we encourage fellow Member States to contribute to the discussion when the Board has detailed proposals before it.

-- This priority, identified by the Director General some years ago, deserves the Board's continued active consideration, informed by expert views from the Secretariat and all Member States that wish to contribute.

Agenda Item 8: Designation of Board Members

¶30. (SBU) The only change among the 13 designated Board members is that the Western European Group has designated Switzerland to replace Finland as a Board member for 2009--2010 (Finland will leave the Board in September.) Other designated members carried over include: Australia, Brazil, Canada, China, France, Germany, India, Japan, Russian Federation, South Africa, United Kingdom and the U.S. Recommendation and Action Request: Mission recommends we join consensus on the designated members. No U.S. statement is necessary.

Agenda Item 9: Appointment of the Director General

¶31. (SBU) The Board Chair will provide a status report on the appointment of the Director General, with a Special Session for the election expected following the June Board. Recommendation and Action Request: If the Board Chair has not yet announced a date for the Special Session, USDEL should urge that it be convened as soon as possible following the June Board so as to ensure the timely appointment of the next Director General "by June at the latest," as presaged in the Procedures for Appointment of the Director General (GOV/2008/44.) Spain, in particular, is pressing for an election date in mid-July at the earliest. (Note: Until the DG election is resolved, we see no prospect for consideration of term limits. End note.)

Agenda Item 10: Provisional Agenda for the GC

¶32. (SBU) The Director General consults with the Board on the provisional agenda for the General Conference. At this juncture the agenda includes an item on Middle East Safeguards but not the additional item traditionally requested by the Arab Group on "Israeli Nuclear Capabilities." The Arab Group may request an additional item up until 30 days before the General Conference, and is widely expected to do so, as in the past.

¶33. (SBU) Recommendation and Action Request: No action is required. Mission seeks Department guidance on whether to make a statement, as we have done in the past, noting that there should be only one Middle East GC agenda item and encouraging a return to consensus. Past U.S. statements have observed that it is inappropriate for the General Conference to single out one country in the region, ignoring non-compliance by other states. While we could defer making a statement until the September Board agenda item on the DG's report on Middle East Safeguards, doing so could be misperceived by the Arab Group as tacit agreement to the additional agenda item on Israel. At the same time, raising the profile of this issue just before what could be a divisive debate on de-restriction could be counterproductive, and have a negative impact on our broader efforts

to lower the temperature in the Boardroom.

Agenda Item 11: GC/Representation of Other Organizations

¶34. (U) In addition to previously accredited organizations listed in GOV/2009/21, an intergovernmental organization --the OPEC Fund for International Development -- and two NGOs, The Center for Nonproliferation Studies and the U.S. Civilian Research and Development Foundation are requesting accreditation as observers to the 2009 General Conference. Recommendation and Action request: Mission recommends that USDEL join consensus in accepting these organizations as observers.

Agenda Item 12: De-restriction of Documents

¶35. (SBU) As previewed ref a, this agenda item was added at the NAM's request in March pursuant to Board deliberations on the release of the Iran and Syria reports. Recommendation and Action Request: Mission recommends a low-key approach to this issue in maintaining the current de-restriction policy, but also in continuing to maintain the Board's authority on a case-by-case basis to release its own documents, as has been the case for 25 Iran reports. The cover note to the Secretariat's report on de-restriction (GOV/2009/25) helpfully recalls the Board Chair's statement at the time of its adoption in 1997 that the Board retains the authority to re-restrict documents earlier or later than the normal two-year rule. USDEL should be poised to respond if the G-77/NAM should seek to proscribe the Board's authority in this regard or to conflate this general policy with the specific cases of Iran and Syria. USDEL should uphold the current policy while arguing for transparency. One observation that may be worth noting is that unlike other international bodies, including the UN Security Council, IAEA Board resolutions are not available in the public domain (and even difficult to find on limited-access website govatom).

Any Other Business

¶36. (SBU) With such an exhaustive agenda, including for the first time assured supply as a formal item, we do not expect many interventions on AOB. There is still a possibility of the Arab Group raising the Gaza DU issue; if they do so, Mission will rely on existing guidance from the March Board.